



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

GOLDMAN Arnold J. et al

Serial No.: 09/746,014

Filed: December 26, 2000

For: Model Predictive Control (MPC) System
Using Doe Based Model

Examiner: Fred O. Ferris III

§
§
§
§
§
§
§
§
§
§

Group Art Unit: 2128

Attorney
Docket: 00/21288

TERMINAL DISCLAIMER

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450**RECEIVED****NOV 26 2004**

Technology Center 2100

Sir:

The owner Insyst Ltd., 7 Hamarpe Street, Har Hotzvim, 91231 Jerusalem, Israel. having 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,766,283. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the

11/23/2004 LWNDIM1 00000031 09746014

01 FC:2814

55.00 DP

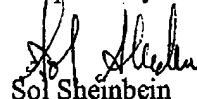
212.8
\$
41

expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Authorization to charge the above Terminal Disclaimer fee of \$55.00 to the Credit Card number listed on the attached Credit Card Payment Form **PTO-2038** is attached herewith. In the event additional fees are required, please charge these additional fees to Deposit Account 50-1407. In the unlikely event payment by the Credit Card issuer is refused, please charge the Terminal Disclaimer fee of \$55.00 to Deposit Account 50-1407.

Respectfully submitted,


Sol Sheinbein

Registration No. 25,457

Date: November 18, 2004